

2018 INDIANA RESIDENTIAL CODE COMMITTEE BYLAWS

Overview

The Fire Prevention and Building Safety Commission (“Commission”), at their January 4, 2017 meeting, moved to form a Residential Code Committee (“Committee”) that would be tasked with adopting a new residential code for the state. At the May 4, 2017 Commission meeting, the Commission approved the committee membership and committee bylaws, and the Committee began its review of the 2015 International Residential Code. Due to the impending release of the 2018 International Residential Code, the Commission approved the Committee’s request to move forward with adopting and amending the 2018 International Residential Code (upon its release by the International Code Council) at its December 5, 2017 meeting. During the Committee’s hiatus, the Indiana General Assembly passed Senate Bill 393, which was signed into law by Governor Holcomb on March 15, 2018. The relevant parts of this law provided that “[b]efore January 1, 2020, the [C]ommission shall adopt rules . . . to replace the statewide residential code for Class 2 structures,” however, these rules cannot require the installation of an automatic fire sprinkler system. Additionally, Senate Bill 393 required the Commission to submit a report to the General Assembly, not later than January 1, 2019, of the Commission’s progress. With these new statutory requirements coming into effect, the Commission moved to amend the Committee membership and bylaws, at their May 1, 2018 meeting, to read as follows:

1. **Establishment of the Committee.** The 2018 Indiana Residential Code Committee (“Committee”) is hereby formed.
2. **Duties of the Committee.** The Committee shall create a draft proposed rule to update the current Indiana Residential Code located at 675 IAC 14-4.3 by December 31, 2018. The Committee shall adopt the 2018 International Residential Code for one and two family dwellings removing all requirements for the installation of automatic fire sprinkler systems. The Committee shall calculate the fiscal impact this proposed rule will create. Members shall also provide, and keep up to date, contact information (email, phone) with the Commission Secretary.

Please note, the draft proposed rule drafted by the Committee is merely a *draft proposed rule* and the Commission retains its full rulemaking authority.

3. **Committee Membership.** The Committee consists of 11 voting members. No proxies are permitted.

3.1 Voting Members. The Committee shall be composed of the following members:

- a. **One (1) residential contractor who has recognized ability and experience in the remodeling and construction of residential structures;**

- b. **Three (3) general contractors who have recognized ability and experience in the construction of residential structures;**
- c. **Two (2) building officials who have experience administering and enforcing the residential code;**
- d. **One (1) licensed architect with recognized ability and experience in the architecture of residential buildings;**
- e. **One (1) member of the Commission;**
- f. **Two (2) fire officials who have knowledge of the residential code; and**
- g. **One (1) engineer.**

3.2 Committee Chairman. The Committee Chairman is Gregory Furnish. The Committee Chairman shall control the conduct of the meetings. This authority includes: (1) the allowance or prevention of testimony from the public; (2) creating the agenda for the meeting; (3) calling for votes upon receipt of motions from other Committee members; (4) the calling of special meetings; and (5) all other actions necessary to conduct an efficient and meaningful code drafting meeting.

3.3 Committee Secretary. The Committee Secretary is Douglas Boyle. All submittals required to be made to the Secretary shall be delivered to doboyle@dhs.in.gov. The Committee Secretary shall handle all administrative functions for the Committee. This includes, but is not limited to: (1) the scheduling of meetings rooms; (2) sending out correspondence to members; (3) posting of meeting agendas; (4) taking of meeting minutes; (5) drafting of the proposed draft rule; and (6) the receipt and retention of filings.

- 4. **Quorum.** Quorum consists of 6 members. In order to conduct business, there must be a quorum of members present in person at the meeting. No member may participate or be counted for quorum purposes, if they are not present at the meeting.
- 5. **Votes Needed to Take Action.** For any action to take place, a majority of the members present must vote in the affirmative.
- 6. **Meeting Time, Dates and Location.** The first meeting will be held on May 16, 2018 at 9:00 AM at the Indiana Government Center South, Teleconference Media Center Room. The specific date and time of all meetings, following the initial meeting, is attached to these bylaws as Exhibit A.

- 7. Special Meetings.** Special meetings may be called by the Chairman. Special meetings must be called three days in advance of the proposed date of the special meeting and all members must receive notice of the proposed special meeting three days in advance of the proposed date of the special meeting.
- 8. Member Terms.** Members are expected to attend all Committee meetings. A member's term lasts until: (1) the member resigns; (2) the member is involuntarily removed; or (3) the work of this Committee has been completed by providing notice to the Commission.
- 9. Member Resignation.** If for any reason a member cannot fulfill their duties, the member, and the member only, shall provide a resignation letter to the Committee Secretary. A member is deemed to have resigned upon the member's death or infirmity.
- 10. Involuntary Removal.** Involuntary removal of a member may only occur by approval of the Commission.
- 11. Code Change Proposals.** In order for a code change proposal to be considered by the Committee, a code change proposal form must be completed and submitted to the Committee's Secretary one (1) week prior to the Committee meeting. However, at the discretion of the Chairman, late proposals may be heard by the Committee, however a code change proposal must be completed prior to the meeting. Submissions of code change proposals are not limited to voting members and any interested party may submit proposals. All code change proposals shall be submitted on the Commission's code change proposal form. All code change proposal must include a statement of the fiscal impact for the proposed change. The fiscal impact of each individual code change proposal shall be quantified as part of the vote and that value shall be included in the meeting minutes, if different from the amount listed on the proposed code change proposal. A proposal for code change previously submitted shall not be re-opened for discussion unless new evidence is provided to justify such action and a two-thirds vote by the committee approved to reopen discussion.